


PROB 12C (Rev. 08/18)		<b>VIOLATION REPORT PART 1: PETITION FOR WARRANT</b>		U. S. Probation Office Eastern District of Michigan		PACTS 36460		DATE 04/06/2021	
NAME SHOMIN, Bret Jon			OFFICER Matthew A. Romeo		JUDGE Thomas L. Ludington			DOCKET # 13-CR-20193-01	
ORIGINAL SENTENCE DATE  10/24/2013  COMMENCED  10/06/2020  EXPIRATION  10/05/2023	SUPERVISION TYPE  Supervised Release	CRIMINAL HISTORY CATEGORY  VI	TOTAL OFFENSE LEVEL  21	PHOTO 					
ASST. U.S. ATTORNEY  Roy Kranz		DEFENSE ATTORNEY  To Be Determined							
REPORT PURPOSE  <b>TO ISSUE A WARRANT TO BE LODGED AS A DETAINER</b>									
ORIGINAL OFFENSE  Count 1: 18 U.S.C. § 113(a)(3), Assault With a Dangerous Weapon With Intent to do Bodily Harm									
SENTENCE DISPOSITION  Custody of the Bureau of Prisons for a term of 96 months, to be followed by a 36-month term of supervised release.									
ORIGINAL SPECIAL CONDITIONS									
<ol style="list-style-type: none"> <li>1. The defendant shall participate in a program approved by the probation department for mental health counseling, if necessary.</li> <li>2. The defendant shall participate in a program approved by the probation department for substance abuse, which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol, if necessary.</li> <li>3. The defendant shall not use or possess alcohol in any consumable form, nor shall the defendant be in the social company of any person whom the defendant knows to be in possession of alcohol or illegal drugs or frequent an establishment where alcohol is served for consumption on the premises, with the exception of restaurants.</li> <li>4. The defendant shall take all medications as prescribed by a physician whose care he is under, including a psychiatrist, in the dosages and at the times proposed. If the defendant is prescribed a medication, he shall take it, and the defendant shall not discontinue medications against medical advice.</li> <li>5. The defendant shall participate in a program approved by the probation department for anger management, if necessary.</li> <li>6. The defendant shall establish a plan with the Grand Traverse County of Friend of the Court to satisfy the support arrearage with that agency and abide by that plan.</li> </ol>									
Criminal Monetary Penalty: Special Assessment \$100.00 (Paid)									

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The probation officer believes that the offender has violated the following conditions of Supervised Release:					
VIOLATION NUMBER	NATURE OF NONCOMPLIANCE				
1	<p><b><u>Violation of Mandatory Condition:</u></b> “THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, OR LOCAL CRIME.”</p> <p>On January 7, 2021, SHOMIN was arrested by the Crawford County (Michigan) Sheriff’s Department on a felony charge of Operating Under the Influence, Third Offense and a misdemeanor charge of Driving Without a License.</p>				
2	<p><b><u>Violation of Mandatory Condition:</u></b> “THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, OR LOCAL CRIME.”</p> <p>On March 20, 2021, SHOMIN was arrested by the Grand Rapids (Michigan) Police Department on a felony charge of Assaulting, Resisting, or Obstructing a Police Officer.</p>				
3	<p><b><u>Violation of Special Condition:</u></b> “THE DEFENDANT SHALL NOT USE OR POSSESS ALCOHOL IN ANY CONSUMABLE FORM, NOR SHALL THE DEFENDANT BE IN THE SOCIAL COMPANY OF ANY PERSON WHOM THE DEFENDANT KNOWS TO BE IN POSSESSION OF ALCOHOL OR ILLEGAL DRUGS OR FREQUENT AN ESTABLISHMENT WHERE ALCOHOL IS SERVED FOR CONSUMPTION ON THE PREMISES, WITH THE EXCEPTION OF RESTAURANTS.”</p> <p>Following his arrest on January 7, 2021, SHOMIN was given a preliminary breath test at the Crawford County Jail, which yielded a 0.14% blood alcohol content. He also admitted to officers that he had been consuming alcohol the previous night.</p>				
4	<p><b><u>Violation of Standard Condition No. 7:</u></b> “THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR ANY PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN.”</p> <p>On November 2, 2020, SHOMIN tested positive for marijuana during a random urinalysis test. Following this test, he admitted to smoking marijuana with his cousin earlier in the week. During a home visit on March 16, 2021, SHOMIN admitted that he had used marijuana and methamphetamines while staying a friend’s house on or about March 13, 2021.</p>				
5	<p><b><u>Violation of Standard Condition No. 9:</u></b> “THE DEFENDANT SHALL NOT ASSOCIATE WITH ANY PERSONS ENGAGED IN CRIMINAL ACTIVITY AND SHALL NOT ASSOCIATE WITH ANY PERSON CONVICTED OF A FELONY, UNLESS GRANTED PERMISSION TO DO SO BY THE PROBATION OFFICER.”</p>				

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<p>At the time of his arrest by the Grand Rapids Police Department on March 20, 2021, SHOMIN was the passenger in a vehicle that was driven by Curtis Lee McFall, Jr. A criminal record check completed through Access to Law Enforcement Systems (ATLAS) revealed that Mr. McFall has seven prior felony convictions. SHOMIN did not request permission to associate with Mr. McFall and the probation department did not authorize such contact. At the time of the traffic stop, Mr. McFall was also found to be in possession of an unspecified amount of cocaine and was charged with Possession of Narcotics, Under 25 Grams.</p> <p><b>6      <u>Violation of Standard Condition No. 1:</u></b> “THE DEFENDANT SHALL NOT LEAVE THE JUDICIAL DISTRICT WITHOUT THE PERMISSION OF THE COURT OR PROBATION OFFICER.”</p> <p>During his arrest for Operating Under the Influence on January 7, 2021, SHOMIN admitted to deputies of the Crawford County Sheriff’s Department that he was returning from visiting his son in Traverse City, Michigan. He was also arrested on March 20, 2021, in Grand Rapids, Michigan. Both Traverse City and Grand Rapids are located in the Western District of Michigan and SHOMIN did not have prior authorization from the Court or probation department to travel to these locations.</p>									
I declare under penalty of perjury that the foregoing is true and correct. PROBATION OFFICER  s/Matthew A. Romeo/tmg 989-894-8829					DISTRIBUTION  Court				
SUPERVISING PROBATION OFFICER  s/Ann R. Smith 734-741-2076					PROBATION ROUTING  Data Entry				
<p><b>THE COURT ORDERS:</b></p> <p>[ X ]    The issuance of a warrant to be lodged as a detainer at the Kent County Jail, Grand Rapids, Michigan.</p> <p>[   ]    Other</p> <div style="text-align: right; margin-top: 100px;"> <u>s/Thomas L. Ludington</u>        United States District Judge   <u>4/9/2021</u>        Date     </div>									